App F IX-4

Previous References
CH 75-69-1

1953-57
CH

File No 132-53
Serial Nos 1 2

Later References

MYSORE GOVERNMENT SECRETARIAT

Serial Nos 2

P15
E

Part B for December 1953

SUBJECT

Import of Beef into the Bangalore Corporation area from outside the State

WD 03555—GPB—25 000—2 7 53

To,

The Commissioner
Corporation of the city of Bangalore
Through the Mayor

L 12462/ dated 26 12 53

Directs to continue the
~~State~~ ~~that~~ the States quo so far
as licences are considered

M G S APP F III—1]

MYSORE GOVERNMENT SECRETARIAT

( )

NOTES.

File No.

FILE HEADING,

Import of Beef into Bijapur from outside places

FROM

The Commissioner, Bijapur Corporation

No A 4 /PR 234/53-54 Dated 20/22-10-1953 Received 24-10-53

Diary No 4553/nil	Enclos	Spare copies	Serial No

BRIEF ABSTRACT OF LETTER

Forwards Resolution dated 15-9-1953 of the Corporation on the Subject

NOTES AND ORDERS

I S G Secretary's orders

"Examine"

(2d) BDK
23 10 53

one file bearing D NR 2324/49-50 has been given to the subject matter in the diary (copy) 4/12/54

1) The Corporations files of this Branch on the Subject have been traced and put up

flag A 2) A copy of the Mysore prevention of Cow Slaughter Act, 1948 is also placed below

3) The prevention of Cow Slaughter Act bans killing of any Cow in Mysore except when it

NOTES—First Sheet

WD—03552—GPB—10,000—10-7-53

Import of beef into Tiptur from outside

File No. L 553 ml of 1953-54. | Mysore Government Secretariat

is declared a Rakshaka animal or sale for export any Cow or the a Cow to the Tiptur Slaughter outside Tiptur the introduction of this Act the only Cow Slaughter House in the Civil Station was closed from 18-4-48 which disabled the Anglo Indians and Mohamedans to get beef

4) Since the promulgation of Cow Slaughter Act does not prohibit export of Beef, the erstwhile Municipal Station Resolved on 27-4-49 to issue permits for exporting beef from outside Tiptur under Strictly Controlled Conditions. Two Beef Vendors have been licensed as the Corporation also was favourable to the Grievances of the Municipality regarding imports

Flag 'J'

5) On the motion of Hon. Corporators the matter was again taken before the meeting of the Corporation on 15-9-53 when after some discussion it was Resolved to recommend to Govt to prohibit the export of beef also to Corporation. The Govt are Requested this Resolution of the Corporation for such action as may be

Flag 'K'

Mysore Government Secretariat

File No 4553 of 1953-54

WD 03547—CPB—40 000—14 8 53

Serial No	
	deemed fit.
	6) The prevention of export of beef as recommended by the Govt. complies an amendment of the prevention of Cow Slaughter Act as such a prohibition cannot be enforced effectively without the legal sanction. The question of amending the Act was considered and discussed at length in the file placed below. This Subject was also brought before the R A Session of October 1949. The question was finally discussed at a meeting of the Council held on 1 9x 49 when it was ordered as follows:-
Flag 'L'	
Flag 'M'	"Instructions to Council May be over for the present" (2d) K E R 1949 (Chief Secretary)
	7) There is also a question of the Indian importance and any action to be taken on this behalf may have to be examined in reference to
Repercussions on	2) the reaction of States etc.,
	8) The Prohibition of the Export

NOTE-Contn Sheet

Import of Beef into Bldr from outside places

File No 4 CF 553/ml of 1953-54 | Mysore Government Secretariat

Serial No

Cf for orders

17/11/53

18/11/53

9) Under what provision of law was licence given to import beef? Under what provision of law it is proposed to be cancelled Pl note early

1811

10) In pursuance of the Resolution dated 27 1 1949 (flag "J") of the Municipal Commissioner, certain stationary merchants exporting beef are licensed This is to safeguard against clandestine slaughter of cows under cover of imports as the Law does not prohibit the exporting of Beef

11) The imported beef has to be sold in authorised Municipal Market These places The use of these places are regulated by bye-laws no 4 Chapter III of the Bye-laws under the Bangalore Municipal Law These Bye Laws make provision for licencing or withholding the licence in particular circumstances The Resolution of the H C and these bye-laws read together might

Mysore Government Secretariat

File No 4553/ of 1953

WD 03547—CPB—40 000—14 8 53

Serial No

enable the Municipalities to issue the beef vendors who export beef.

12) Sales for orders Ref para 9 above

18/11/53

18/11/53

13) The issue of licenses to vend imported beef in Blore city has indirectly encouraged cow slaughter within the city limits itself. It is practically impossible to keep a very strict watch to prevent the cow slaughter and even if the offenders are caught, they can very easily escape by saying that it was the imported beef that they were in possession of and that they did not slaughter any cow within the City or within Mysore State. As in the case of Prohibition where even vending liquor is prohibited, so also in the case of prevention of cow slaughter, it is better to prevent the import of beef into the city limits. The Corporation is the licensing authority for vending beef and if the Corporation Cancels the license or the authority of the Corporation revokes the license, the matter will close. There is no need to issue orders from here. For orders

As regards prevention of importing beef, separate action will have to be taken to amend the Act

Secy Dept

18/11

SECRETARIAT TO GOVT. OF MYSORE 19 NOV 1953 L.S.G. DEPARTMENT

NOTE—Contn Sheet

Import of beef into the Bangalore Corporation area from outside State

File No 4553/mc 6 of 1953 54

Mysore Government Secretariat

Serial No

14) The letter from the Commissioner, Corporation, dated 20th/22nd October 1953 (Flag 'K') gives the facts of the case. The position is this - An Act has been passed to prevent slaughter of cows in Mysore State (Flag 'H'). There is no legal provision in this Act to prohibit either import or sale of beef. In view of this, the Commissioner, Corporation, had permitted the import of beef and licensed two merchants also. The Commissioner, has, in the exercise of his powers recently licensed one more merchant The question has been considered by the Corporation, and they feel that the import of beef should be prohibited This can only be done by an amendment of the Law This question has been raised some time back and the matter was also considered in Council on 1.9 1949 (Flag 'M) The Council felt that the question might lie over for the present It is now for consideration whether the matter may be reopened There is a considerable amount of sentiment attached to this problem Just by prohibiting the slaughter of cows or prohibiting the import of beef, will not mean that the health of the cattle will go up Probably the contrary is true If there are too many unproductive cattle in the country it may mean considerable pressure on the few grazing pastures that are available, and the condition of the cattle generally may go down But the only question now for consideration is, whether the Act should be amended to prohibit the import of beef into the State I feel that no particular -

Serial No

advantage will be gained by this move, except some slight sentimental satisfaction. On the other hand, it might even be interpreted by the Anglo-Indian and Muslim minorities that an attack is being made against some of their customs Taking all these factors into consideration I feel that it is best to allow the status quo to continue So far as the licenses are concerned the Corporation may disposed them of in accordance with the Rules

G V K Rao 21/11

(G.V.K.RAO)

21.11.

21/11

Min. L.S.G. & P.H.) ✓

Min. for Agri. ✓)

Chief Minister ✓)

through

Secy H. F. & A.) ✓

15) Further it is doubtful if the state legislature could undertake such legislation, for under Art 304(6) of the Indian Constitution, the state legislature could impose restrictions on the freedom of trade, commerce or intercourse with or within that state only if such restrictions are 'reasonable' and in the public interest. The amount of the Precedent would be required to vitiate any such legislation

26/11/53

27/11/53

28/11

18) 15.12.53

16) 2/12/53

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
RECEIVED
4 DEC 1953
No

SECRETARY TO GOVERNMENT
No
26 NOV 1953
HOME DEPT

GOVT OF MYSORE
7224
26 DEC 53
DEPTH

MINISTER FOR AGRICULTURE
12 875
Da 9.12.53

GOVT OF MYSORE
12 1682
1953

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL SELF GOVERNMENT
Received on
23 NOV 1953
Secretariat
Note—Original Sheet
L40·16

Import of beef into the Bangalore Corporation area from outside State

File No. AS-53/me 8 of 1953 54

Mysore Government Secretariat

Serial No

7) Draft letter to the Commr. CCB is put up for approval

17/12/53

18/12/53 (Seen)

8-1/6

23/12

24/12

Jasne 23/12

To

The Commissioner
Corporation of the city of Bangalore
No L 12462 / C M 132-53-2 dated
26th December 1953
(Rat- the Rules for the conts. & Sales
Vessels, licenses are Concerned, may
may disposed of in accordance
with the Rules

B.

28/12

29/12

Mysore Government Secretariat | File No | of 195

WD 03547—CPB—40 000—14 8 53

Serial No	

File No of 195

Mysore Government
Secretariat

Serial No

CORPORATION OF THE CITY. OF BANGALORE.

No A4/PR 234/53 Corporation Offices,
Encl: one
Bangalore

Dated 20th October 1953

From

THE COMMISSIONER,
CORPORATION OF THE CITY OF BANGALORE,

To

The Secretary to Government of Mysore,
L S.G & Planning Departments,
Bangalore

Sir,

Subject Import of beef into the Bangalore Corporation area from outside state

Since the introduction of Mysore Prevention of Cow Slaughter Act of 1948, the only Cow Slaughter House at the Civil Station was closed on 18-8-48 This disabled a major number of Anglo-Indians, Mohammadans and other beef eating population from consuming beef The erstwhile Municipal Commission, Civil Station therefore resolved on 27-1-49 that the policy of issuing permits for import of beef from outside the state for sale in Civil Station on the conditions laid down in Health Officer's note be approved Since there was no legal bar under the Act two merchants were granted license to import beef from Madras into Bangalore Corporation area Subsequently as many as seven applications seeking license to import beef from outside the state into Bangalore area and to sell the same were received In view of certain representations that the policy of importing beef may have to be modified, the Health Officer submitted a note seeking clarification This was placed before the Standing Committee (Health) on 14-5-53 and they resolved that the policy of importing the beef to the Bangalore Corporation area from outside State be continued Messrs Nanjappa and Sundara Murthy wanted to place the subject before the Corporation under Rule 21 Schedule II of the Act as they were not in favour of importing beef

Since the policy of permitting imports of beef is approved not only by the erstwhile Civil Station Municipal Commission and acquiesced in by the present Corporation and also

recently approved by the Standing Committee (Health) and also there is no legal bar in the Mysore Prevention of Cow Slaughter Act, I thought it is correct on the advice of the Corporation Advocate to consider on merits the application for license and issue permit if the y satisfy the conditions imposed instead of continuing license in favour of only two persons for such a big area as this Corporation is which would practically amount to a monopoly

License to import beef from Mathigere has been issued to Messrs Abdul Sultan & Co subject to the usual conditions

The matter was however placed before the Corporation for information as per representation of Sriyuts Nanjappa and Sundara Murthy and they have resolved at their meeting held on 15-9-1953 that a recommendation be made to Government to prohibit the import of beef into the Corporation area and that the licenses issued be withdrawn as per rules A copy of the resolution enclosed for taking such action as is deemed fit in this regard

Forwarded with compliments

(P. Hanumanthaiah,)
MAYOR

Yours faithfully,

(K. Henjerappa,) 20/10
COMMISSIONER

Resolution passed at the Adjourned Meeting of the Corporation of the City of Bangalore, held on 15th September 1953

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43. Letters from Sri B Nanjappa and Sri A Sundaramurthy, Corporation Councillors, under Rule 21 of Schedule II of the Corporation Act that the proceedings of the Standing Committee (Health) dated 14th May 1953 regarding the import of beef from outside to the Corporation area be placed before the Corporation for final decision

Sri N Ramamurthy moved the following resolution

"Resolved that a recommendation be made to Government to prohibit the import of beef into the Corporation area and that the license issued be withdrawn as per rules.

Sri M Jayaseelan seconded the resolution and it was passed

P Hanumanthiah,
Mayor

"Copy"

For Commissioner

TNL

M G S App F G 3

MYSORE GOVERNMENT
SECRETARIAT

(~~Continuation sheet draft form~~)

No L. 12462/26-12-53
C M 132 53-2

To

The Commissioner, C C B
(Through the Mayor)

Subject: Import of beef into the Bldr Corporation area from outside the State

Sir,

With reference to your letter No A 4 P R. 234/53-54 dated 20-10-53 (22) on the subject, I am directed to state that the question of prohibiting the slaughter of cows completely or prohibiting the import of beef the preservation

WD 03546—GPB—10 000 —14 8 53

and improvement of the Breeds
of Cows and Calves and other milch
and draught Cattle cannot
be proceeded On the Contrary,
if enforced, it would lead to a
lower Standard of Cattle
life and breeding in the Country
If there are too many unproductive
Cattle in the Country there is
considerable pressure and drain
on the available fodder and other
Cattle feed Resources which on the final analysis
naturally entails a Lowering
of the Condition of the Cattle
generally

As regards protection export,
it is felt that no particular
advantage is gained by this more
except some slight Sentimental
Satisfaction. On the
other hand, it might cause
the interposition of Legislative obstacles

M. C. S. App. F G 3

MYSORE GOVERNMENT
SECRETARIAT

(~~Continuation sheet draft form~~)

and Muslim Communities
that are attached to Cows
made against Some of
their customs having
regard to all those
factors it is considered
desirable that the
Rights of the smaller
~~to maintain~~.
Continued So far
as the Licences are
Concerned the Corporation
may dispose matter of
in accordance with the
Rules

Yours faithfully
YP
Sd/- S C Secy
17/12/53
1914

WD 03546—GPB—10 000 —14 8 53

23/12/53

L 12462/ep 132-53-2 /

Municipal Branch,
26 December 53

The
L S G & Planning Departments

To

The Commissioner,
Corporation of the City of Bangalore,
(through the Mayor)

Sir,

Subject - Import of Beef into the Bangalore Corporation Area from outside the State.

With reference to your letter No A 4 P R 234/53-54 dated the 20/22nd October 1953 on the subject, I am directed to state that just by prohibiting the slaughter of cows completely or prohibiting the import of beef, the preservation and improvement of the breeds of cows and calves and other milch and draught cattle cannot be promoted On the contrary, if enforced, it is likely to lead to a lower standard of cattle life and breeding in the country If there are too many unproductive cattle in the country, there is considerable pressure and drain on the available fodder and other cattle feed resources which in the final analysis naturally entails a lowering of the condition of the cattle generally

2 As regards prohibiting import, it is felt that no particular advantage is gained by this move except some slight sentimental satisfaction On the other hand, it might even be interpreted by the Anglo-Indian and Muslim Communities that an attack is being made against some of their customs Having regard to all these factors it is considered desirable that the satusquo in this matter is continued So far as the licenses are concerned, you may dispose them of in accordance with the Rules

Yours faithfully,

(V Hanumanthappa)
for Secretary to Government,
L S G & Planning Departments.

LNS 2 24/12